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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION
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12 ERIC FALCON,

13 Petitioner,

14 v.

15 P.T. SMITH / CDW (A),

16 Respondent.
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No. CV 12-9873-VAP (PLA)

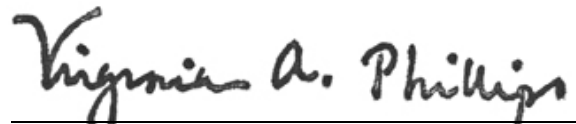
ORDER ACCEPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION

18 Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file de novo, including the
19 magistrate judge's report and recommendation, and petitioner's objections. The Court agrees with
20 the recommendations of the magistrate judge.

21 ACCORDINGLY, IT IS ORDERED:

- 22 1. The report and recommendation is accepted.
23 2. Respondent's Motion to Dismiss is granted.
24 3. Judgment shall be entered consistent with this order.
25 4. The clerk shall serve this order and the judgment on all counsel or parties of record.

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27 DATED: August 5, 2013



HONORABLE VIRGINIA A. PHILLIPS
UNITED STATES DISTRICT JUDGE